

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench

Before: - **THE HON'BLE SHRI. V.D. DONGRE, MEMBER (J)**

And

THE HON'BLE SHRI. BIJAY KUMAR, MEMBER (A)

Date: -26/04/2023

Due Admission Matters						
18	CP20/21 In OA200/16	O'bad	Adv.R.P. Bhumkar (Shaikh Rahim Shaikh Chand)	Contempt Petition	For Hearing Reply Filed by R-2 & R-5	23.06.2023
19	CP29/22 In OA283/21	A'bad	Adv.H.S. Bali (Gautam A Jadhav)	Contempt Petition	For Hearing Reply Filed by R-2	08.06.2023
20	Rev4/17 In OA223/14	A'bad	Adv.S.D. Joshi <u>Adv.S.D. Joshi has Filed Leave Note From 24.04.2023 to 03.5.2023</u> (Kakasaheb B Zalte)	Review Petition	For Hearing	23.06.2023
21	OA631/19 With	Beed	Adv.Rahul D Khadap (Dilip V Kadam)	Termination (Nominee of Freedom Fighter)	For Hearing	20.06.2023
22	OA677/19 With	A'bad	Adv.S.S. Thombre (Trimbak S Chavan)	Termination (Nominee of Freedom Fighter)	For Hearing Reply Filed by R-1 to R-4	20.06.2023
23	OA714/19	Beed	Adv.Rahul D Khadap (Prakash R Arsul)	Termination (Nominee of Freedom Fighter)	For Hearing Reply Filed by R-2 & R-3	20.06.2023
24	OA183/20	Dhule	Adv.Suresh D Dhongde (Rajendra G Sonawane)	Departmental Enquiry	For Hearing	04.07.2023

25	OA377/20 With	Dhule	Adv.Manish V Bhamre (Ganesh B Choudhari) <u>Adv.S.G. Sharma for R.Nos.4, 8, 10 to 16 & 19</u>	Final Seniority list/ Promotion	For Hearing Reply Filed by R-1 to R-3 For Filing Affidavit in Rejoinder Ref. Order dtd.06.01.2023	26.06.2023
26	OA378/20 with	Dhule	Adv.Manish V Bhamre (Krushnkant I Salunke) <u>Adv.S.G. Sharma for R.Nos.4, 8, 10 to 16 & 19</u>	Seniority List/ Promotion	For Hearing Reply Filed by R-1 to R-3 For Filing Affidavit in Rejoinder	
27	OA379/20 With	Dhule	Adv.Manish V Bhamre (Ravindra N Wagh) <u>Adv.S.G. Sharma for R.Nos.4, 8, 10 to 16 & 19</u>	Seniority List/ Promotion	For Hearing Reply Filed by R-1 to R-3 For Filing Affidavit in Rejoinder	
28	OA380/20 With	Dhule	Adv.Manish V Bhamre (Kiran A Patil) <u>Adv.S.G. Sharma for R.Nos.4, 8, 10 to 16 & 19</u>	Seniority List/ Promotion	For Hearing Reply Filed by R-1 to R-3 For Filing Affidavit in Rejoinder	
29	OA381/20 with	Dhule	Adv.Manish V Bhamre (Kalu L Dhargar) <u>Adv.S.G. Sharma for R.Nos.4, 8, 10 to 16 & 19</u>	Seniority List/ Promotion	For Hearing Reply Filed by R-1 to R-3 For Filing Affidavit in Rejoinder	
30	OA470/20 With	Dhule	Adv.Manish V Bhamre (Hemant B Wankhade) <u>Adv.S.G. Sharma for R.Nos.4, 8, 10 to 16 & 19 & 20</u>	Final Seniority list/ Promotion	For Hearing Reply Filed by R-1 to R-3 For Filing Affidavit in Rejoinder	
31	OA471/20 With	Dhule	Adv.Manish V Bhamre (Yogesh H Salunkhe) <u>Adv.S.G. Sharma for R.Nos.4, 8, 10 to 16 & 19 & 20</u>	Final Seniority list/ Promotion	For Hearing Reply Filed by R-1 to R-3 For Filing Affidavit in Rejoinder	

32	OA472/20 With	Dhule	Adv.Manish V Bhamre (Dipak G Patil)	Final Seniority list/ Promotion	For Hearing Reply Filed by R-1 to R-3 For Filing Affidavit in Rejoinder	26.06.2023
33	OA473/20 with	Dhule	Adv.Manish V Bhamre (Bhupendra M Gavale)	Final Seniority list/ Promotion	For Hearing Reply Filed by R-1 to R-3 For Filing Affidavit in Rejoinder	
34	OA474/20 with	Dhule	Adv.Manish V Bhamre (Bhagwat C Teli)	Final Seniority list/ Promotion	For Hearing Reply Filed by R-1 to R-3 For Filing Affidavit in Rejoinder	
35	OA475/20	Dhule	Adv.Manish V Bhamre (Nandkumar T Thorat) <u>Adv.S.G. Sharma for R.Nos.4, 8, 10 to 16 & 19 & 20</u>	Final Seniority list/ Promotion	For Hearing Reply Filed by R-1 to R-3 For Filing Affidavit in Rejoinder	
36	OA32/21	A'bad	Adv.Ujjwal S Patil (Mukinda T Bhalerao)	Termination	For Admission Reply Filed by R-2	
37	OA598/21	J'gaon	Adv.S.D. Dhongde (Bramhdev M Latpate)	Departmental Exam	For Hearing Reply Filed by R-1 to R-5	23.06.2023
38	OA770/21	Hingoli	Adv.S.S. Londhe (Gangaram S Bele)	Seniority List/ Promotion	For Admission Reply Filed by R-3 to R-5	23.06.2023
39	OA394/22	Jalna	Adv.S.B. Jadhav (Heena Chand Patel)	Selection Process/ Appointment	For Hearing Reply Filed by R-1 & R-2	19.06.2023
40	OA442/22	A'bad	Adv.Kakasaheb B Jadhav (Shankar M Rathod)	Reversion	For Hearing Reply Filed by R-1 to R-3	07.06.2023
41	OA459/22	Nanded	Adv.SuchitaDhongde (Suresh C Kapate&Ors.)	Reversion	For Hearing	04.07.2023

Final Hearing Matters						
42	OA251/17	Latur	Adv.J.G. Toshniwal (Dr.Sham P Toshniwal)	Selection/ Appointment	Reply Filed by R-1 & R-2	23.06.2023
43	TA03/18 WP9260/18	A'bad	Adv.Preeti R Wankhade (Mangesh R Datar&Ors.)	Selection/ Appointment/ To Appear for Mani Exam	Reply Filed by R-2 & R-3	26.06.2023
44	TA09/18 WP11503/18	A'bad	Adv.Preeti R Wankhade (Ashish S Shejwal&Ors.)	Selection/ Appointment	Reply Filed by R-1 & R-2	26.06.2023

45	OA439/19 with	Nanded	Adv.D.R. IralePatil (Prakash M Ishware) <u>Adv.S.B. Mene for R.No.2</u> <u>Adv.AjayDeshpande for R.Nos.4 to</u> <u>7</u>	Seniority	Reply Filed by R-3 & R-5	04.07.2023
46	MA17/20 In OA1072/19	Latur	Adv.A.S. Deshpande (Ajit S Solanke&Ors.) <u>Adv.D.R. IralePatil in OA1072/19</u> <u>for Original Applicant</u> (Dnyandev L Suryawanshi) <u>Adv.S.D. Dhongde for R.Nos.1 & 2</u> <u>in OA1072/19</u>	M.A. For Intervention		
47	OA721/19	Beed	Adv.S.D. Dhongde (Bhagwan W Landge)	Pension &Pensionery Benefits	Reply Filed by R-2	14.06.2023
48	MA169/21 In OAS141/21	Beed	Adv.A.S. Khedkar / Adv.Pranoti R Karpe (Anil J Kande&Ors.)	M.A. For Condonation of Delay	Reply Filed by R-1 & R-3	05.07.2023
49	OA496/21	Latur	Adv.R.K. Ashtekar (Prathamesh S Vaidhya&Ors.) <u>Adv.K.G. Salunke for R.No.10 in</u> <u>OA496/21</u>	Seniority List/ Promotion	Reply Filed by R-1 to R-3	26.06.2023
50	OA279/22	Jalna	Adv.SuchitaDhongde (Indurao B Sarode)	Second Department Enquiry	Reply Filed by R-2 & R-4	14.06.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Division Bench

Before: - THE HON'BLE SHRI. V.D. DONGRE, MEMBER (J)

And

THE HON'BLE SHRI. BIJAY KUMAR, MEMBER (A)

Date: -26/04/2023 For Reply Board

Sr. No	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	CP05/22 In OA69/20	Beed	Adv B R Kedar (Suresh G Tandale)	Contempt Petition	One More Last Chance For Filing Affidavit in Reply in C.P	26.06.2023
2	CP32/22 In OA547/20	A'bad	Adv S D Joshi <u>Leave Note Filed by Adv S D Joshi on 24.04.2023 & 03.05.2023</u> (Vishvajit S Kotkar)	Contempt Petition	Await Service	26.06.2023
3	CP36/22 In OA53/20	A'bad	Adv.H.S. Bali (Kailas K Sasane)	Contempt Petition	One More Last Chance For Filing Affidavit in Reply In C.P	08.06.2023
4	OA447/21	Latur	Adv C V Dharurkar (Malile A Gangadhar)	Challenging G.R.	For Filing Affidavit in Rejoinder	28.06.2023
5	TA16/22 WP9150/22	A'nagar	Adv Ajay T Kanawade (Santosh S Chavan&Ors.)	Benefit of Promotion & Fixation of Pay	As a Last Chance For Filing Affidavit in Reply	22.06.2023
6	OA237/22	Jalna	Adv S SJadhavar (Vinayak U Banchod)	Seniroyty List/ Promotion	For Reply	23.06.2023

7	OA444/22	Beed	Adv.S.S. Thombre (Bibhishan N Hawale)	Selection Process/ Interview	For Filing Affidavit in Reply R- 3 For Filing Affidavit in Rejoinder to the Affidavit in Reply Filed By R-1 & R-2	20.06.2023
8	OA594/22	J'gaon	AdvKakasaheb B Jadahv (Bharat C Padvi)	Departmental Enquiry	For Filing Affidavit in Rejoinder	26.06.2023
9	OA828/22	A'nagar	Adv V B Wagh (Shailendra G Sasane)	Designation	Last Chance For Filing Affidavit in Reply	07.06.2023
10	OA906/22	Latur	Adv J S Deshmukh (Dr. Ratnakar D Tandale)	Continuity of Service/ Condonation of Technical Break	For Filing Affidavit in Rejoinder	03.07.2023
11	OA1056/22	A'nagar	Adv A M Hajare (Anant A Kokate)	Departmental Enquiry	For Filing Affidavit in Reply	03.07.2023
Order Matters						
12	MA275/22 In OA432/20	Beed	AdvSuhas R Shirsat (Sanjay R Rajput &Ors.)	M.A. For Amendment	For Reply	04.07.2023
13	MA375/22 In OAS1210/22	Dhule	Adv.S.N. Suryawnashi (Abhiman G Saindane)	M.A. For Condonation of Delay	For Filing Affidavit in Rejoinder	04.07.2023
14	MA547/22 In OAS1755/22	Nanded	Adv V S Kadam (Ashok V Kulkarni&Ors.) <u>Adv D T Devane for R.Nos.2 & 3</u>	MA for Condonation of delay	For Filing Affidavit in Reply in M.A	23.06.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Divison Bench

Before: - THE HON'BLE SHRI. V.D. DONGRE, MEMBER (J)

Date: -26/04/2023

Time :-03:00

P.M.

Sr · N o	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matter						
1	OA183/23	A'nagar	Adv.S.S. Jadhavar (Sahebrao S Wayal)	Advertisement	For Filing Affidavit in Reply	08.06.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -26/04/2023

Due Admission Matters						
4	OA375/21 with	Latur	Adv.PrashantDeshmukh (Ravindra R Kulkarni)	Continuation in Service	Reply Filed by R-2 & R- 3	05.06.2023
5	OA376/21 with	Nanded	Adv.PrashantDeshmukh (Hanumant S Jadhav)	Continuation in Service	Reply Filed by R-2 & R- 3	05.06.2023
6	OA377/21 with	Beed	Adv.PrashantDeshmukh (Vivekanand P Dhongade)	Continuation in Service	Reply Filed by R-2 & R-3	05.06.2023

7	OA402/21 with	Jalna	Adv.PrashantDeshmukh (Sudhakar N Kamble)	Continuation in Service	Reply Filed by R-2 & R-3	05.06.2023
8	OA403/21 with	Jalna	Adv.PrashantDeshmukh (Navnath D Ghorpade)	Continuation in Service	Reply Filed by R-2 & R-3	05.06.2023
9	OA404/21 with	Latur	Adv.PrashantDeshmukh (Jayshree P Hambire)	Continuation in Service	Reply Filed by R-2 & R-3	05.06.2023
10	OA417/21	Nanded	Adv.PrashantDeshmukh (Ramkant D Joshi)	Continuation in Service	Reply Filed by R-2 & R-3	05.06.2023
11	OA114/22	A'bad	Adv.J.S. Deshmukh (Dr.Bhausahab S Randhe) <u>Adv.U.S. Mote for R.No.3</u>	Relieve	For Hearing Reply Filed by R-3	04.05.2023
12	OA262/22	Nanded	Adv.SuchitaDhongde (Sima P Kangane) <u>Adv.S.B. Mene for R.Nos.2 & 3</u>	Compassionate Appointment	Reply Filed by R-2 & R-3	15.06.2023
13	OA285/22	A'bad	Adv.M.A. Golegaonkar (Shashikant D Guntootkar)	Fixation of Pay & Other Pensionary Benefits	For Hearing Last Chance For Filing Affidavit in Reply	28.06.2023
14	OA382/22 with	Jalna	Adv.R.A. Joshi (Rajendra R Shah)	Time Bound Promotion/ Benefit of G.R.	For Hearing	05.06.2023
15	OA383/22 with	A'bad	Adv.R.A. Joshi (Gangadhar R Muley)	Time Bound Promotion/ Benefit of G.R.	For Hearing	
16	OA384/22 with	A'bad	Adv.R.A. Joshi (Suresh L Ghule)	Time Bound Promotion/ Benefit of G.R.	For Hearing	
17	OA385/22	A'bad	Adv.R.A. Joshi (Yuvraj S Kalshetty)	Time Bound Promotion/ Benefit of G.R.	For Hearing	
18	OA421/22	A'bad	Adv.S.B. Jadhav (Nandkishor V Joshi)	Leave Encashment	Reply Filed by R-1 to R-4	
19	OA470/22	P'bhani	Adv. Vivek G Pingle (Prasad D Mule) <u>Adv.S.B. Mene for R.No.3</u>	Compassionate Appointment	For Hearing Reply Filed by R-2 & R-3	09.06.2023

20	OA624/22	A'nagar	Adv.V.B. Wagh (Dhananjay T Mahajan)	Transfer	For Hearing Reply Filed by R-1 & R-2	28.04.2023
21	OA625/22	A'nagar	Adv.V.B. Wagh (Anil N Lokhande)	Transfer	For Hearing Reply Filed by R-1 & R-2	28.04.2023
22	OA644/22	Beed	Adv.B.S. Shinde (Dr.Bhauasaheb N Chalak)	Suspension Period	Circulation	04.05.2023
23	OA934/22	O'bad	Adv.K.G. Salunke (Rahimatbi S Babulal&Ors.)	Arrears & Wages	For Hearing Reply Filed by R-4	03.05.2023
24	OA31/23	Jalna	Adv.V.U. Pawar (Dr.Vivek B Khatgaonkar) <u>Adv.P.B. VikhePatil for R.No.3</u>	Suspension		04.05.2023
25	OA138/23	P'bhani	Adv.O.D. Mane/ Adv.A.O. Mane (Vikas R Kharat)	Transfer	For Hearing	02.05.2023
Final Hearing Matters						
26	OA784/15	Beed	Adv.Avinash S Khedkar (Malappa P Shendule)	Pension	Reply Filed by R-1 to R-3	30.06.2023
27	OA89/18	A'bad	Adv.Avinash S Deshmukh (SayedaKhalida Md. Naeem) <u>Adv.S.R. Pande for R.No.3</u>	Family Pension	Reply filed by R-1 to R- 3	05.06.2023
28	OA776/18	Dhule	Adv.A.D. Sugdare (Nana B Salunke) <u>Adv.Sunita D Shelke for R.No.3</u>	Recovery/ Pay Fixation	Reply Filed by R-1 to R- 4	06.06.2023
29	OA822/18	Dhule	Adv.A.D. Sugdare (Virendra P Dhivare)	Absorption	Reply Filed by R-1 to R- 3	06.06.2023

30	OA251/20	A'bad	Adv.D.K. Dagadkhair (Sandu R Magar)	Salary/ Pension &PensioneryBenfit	Reply filed by R-1 to R- 5	07.06.2023
31	OA575/20	Latur	Adv.K.M. Nagarkar (Kondabai R Ghadge&Ors.)	Regularisation of Service/ Continuation	Reply Filed by R-1 to R- 4	03.07.2023
32	OA20/21	Nanded	Adv.Preeti R Wankhade (Ramraje S Chandane)	Suspension	Reply Filed by R-1 to R- 3	05.06.2023
33	OA189/21 with	A'nagar	Adv.Avinash S Khedkar (Sakharam C Kashid) <u>Adv.Shamsunder B Patil for R.Nos.2 to 3</u>	Recovery	For Hearing Reply Filed by R-1 to R- 4	30.06.2023
34	OA214/21 with	A'nagar	Adv.Avinash S Khedkar (Ramnath N Raut) <u>Adv.Shamsunder B Patil for R.Nos. 2 to 3</u>	Recovery/ Refund of Recovered Amount	For Hearing Reply Filed by R-1 to R- 3	30.06.2023
35	OA336/21 with	A'nagar	Adv.Avinash S Khedkar (Raosaheb S Bhosale) <u>Adv.Shamsunder B Patil for R.Nos. 2 to 3</u>	Recovery/ Refund of Recovered Amount	For Hearing Reply Filed by R-2 to R- 3	
36	OA365/21 with	A'nagar	Adv.Avinash S Khedkar (Prabhakar B Jondhale) <u>Adv.Shamsunder B Patil for R.Nos. 2 to 3</u>	Recovery	For Hearing Reply Filed by R-1 to R- 3	
37	OA222/21 with	A'nagar	Adv.Avinash S Khedkar (Bhausahab A Wighve) <u>Adv.S.B. Patil for R.Nos.2 & 3</u>	Recovery/ Refund of Recovered Amount	For Hearing Reply Filed by R-1	
38	OA223/21	A'nagar	Adv.Avinash S Khedkar (Babasaheb R Warpe) <u>Adv.S.B. Patil for R.Nos.2 & 3</u>	Recovery/ Refund of Recovered Amount	For Hearing Reply Filed by R-1 to R- 3	
39	OA368/21	O'bad	Adv.K.G. Salunke (Nanda M Paul &Ors.)	Arrears of Wages	Reply Filed by R-4	03.05.2023
40	OA374/21	Nanded	Adv.Avinash S Deshmukh (Pradeep K Puri)	Posting	Reply Filed by R-1 & R- 2	27.04.2023

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
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List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -26/04/2023

For Reply Board

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
1	OA406/21	Beed	AdvAvinash Deshmukh (SajedMubasshiruddinSi ddiqui)	Transfer	For Filing Affidavit in Rejoinder	13.07.2023
2	OA147/22	P'bhani	Adv J B Choudhary (Bhaskar D Nalte)	Leave Encashment	One More Opportunity For Filing Affidavit in Reply	28.06.2023
3	OA471/22	Dhule	AdvVivekPingle (Jayant S Bhamare)	Benefit of G.R.	For Filing Affidavit in Reply	13.07.2023
4	OA541/22	Beed	Adv A R Gunge (Khiluba B Sarak) <u>Adv P D Survawanshi</u> <u>For R.Nos.2 & 5</u>	Pension &Pensionery Benefits	For Filing Affidavit in Reply R-1, 3 & R- 4 <u>Ref Order</u> <u>Dtd.</u> <u>20.10.2022</u>	28.06.2023
5	OA758/22	Beed	Adv B R Kedar (Vasant N Phad)	Benefit of Time Bound Promotion	For Filing Affidavit in Reply	28.06.2023
6	OA964/22	Nanded	AdvAvinash S Deshmukh (Vijaykumar M Nawale) <u>Adv V B Wagh For R</u> <u>No 5</u>	Deemd Date of Promotion	Await Service	14.07.2023
7	OA1010/22	P'bhani	Adv A G Dalal/	Family	For Reply	23.06.2023

			Adv A F Pathan (Khurshid Begum Mohd. Moosa)	Pension/ Arrears of Family Pension		
8	OA1052/22	A'bad	Adv V G Pingle (NuzhatJaan Jamal Khan)	Family Pension	For Filing Affidavit in Reply	20.06.2023
9	OA1156/22	Nanded	Adv D T Devane (Shrikant S Deshmukh)	Deemed Date of Promotion	For Reply	03.07.2023
10	OA40/23	Nanded	AdvAbhijitNamde (Sunanda D Shinde)	Family Pension & Other Benefits	Await Service	07.07.2023
Order Matters						
11	MA592/19 In OAS2196/19	Nanded	Adv V S Kadam (Arvind A Joshi) <u>Adv G N Patil For Rno-3</u>	M.A. For Condonation of Delay	For Filing Affidavit in Rejoinder	03.07.2023

12	MA310/20 In OAS2061/19	Latur	AdvSandip G. Kulkarni (Jagdish K. Mahendrakar) <u>Adv D T Devane For R- 3</u>	M.A. For Condonation of Delay	Await Service	20.07.2023
13	MA196/21 In MAST780/21 In OA198/20	A'bad	AdvWalmik S Jadhav (Harishchandra B Bhujbal)	M.A. For Condonation of Delay	For Filing Affidavit in Reply	18.07.2023
14	MA360/22 In OAS712/22 With	P'bhani	Adv A R Gaikwad (Murlidhar G Rathod)	M.A. For Condonation of Delay	For Reply	06.07.2023
15	MA361/22 In OAS713/22 With	P'bhani	Adv A R Gaikwad (Dnyanoba S Kokate)	M.A. For Condonation of Delay	For Reply	
16	MA362/22 In OAS714/22 With	P'bhani	Adv A R Gaikwad (Janardhan N Keadri)	M.A. For Condonation of Delay	For Reply	

17	MA363/22 In OAST766/22	P'bhani	Adv A R Gaikwad (Sarjerao L Tupsamindar)	M.A. For Condonation of Delay	For Reply	
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**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

List of Cases set down for Physical Hearing/Admission/Order/etc. Hon'ble Single Bench

Before: - THE HON'BLE JUSTICE SHRI P.R. BORA, VICE CHAIRMAN

Date: -26/04/2023

(Additional Board)

Sr. No.	Case No.	District	Advocate's & Applicant's Name	Subject	Remarks	
Due Admission Matters						
3	OA722/22	A'bad	Adv.P.R. Tandale (Devidas M Kandhare)	Increment	Rehearing	02.05.2023

ORIGINAL APPLICATION NO. 828 OF 2022
(Shailendra G. Sasane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondent authorities.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit in reply on behalf of the respondents.

3. S.O. to 07.06.2023. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

C.P.NO. 05/2022 IN O.A.NO. 69/2020
(Suresh G. Tandale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri S.S. Tandale, learned Advocate holding for Shri B.R. Kedar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of the learned C.P.O., final chance is granted for filing affidavit in reply in C.P.

3. S.O. to 26.06.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 26.04.2023.

ORIGINAL APPLICATION NO. 447 OF 2021
(Malile A. Gangadhar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri C.V. Dharurkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, time is granted as a last chance for filing affidavit in rejoinder.

3. S.O. to 28.06.2023.

MEMBER (A)

MEMBER (J)

C.P.NO. 36/2022 IN O.A.NO. 53/2020
(Kailas K. Sasane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri H.S. Bali, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. At the request of the learned P.O., final chance is granted for filing affidavit in reply on behalf of the respondents in C.P.

3. S.O. to 08.06.2023.

MEMBER (A)

MEMBER (J)

T.A.NO. 16/2022 (W.P.NO. 9150/2022)
(Santosh S. Chavan & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri Krushna N. Bhosale, learned Advocate holding for Shri Ajay T. Kanawade, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of the learned C.P.O., one more last chance is granted for filing affidavit in reply on behalf of the respondents.

3. S.O. to 22.06.2023.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION ST.NO. 296 OF 2023
(Waseem Ayaz Baig Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri Sayyed Tauseef Yaseen, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. S.O. to 19.06.2023.

MEMBER (A)

MEMBER (J)

M.A.ST.NO. 749/2023 IN O.A.ST.NO. 697/2023
(Bharat B. Mhaske Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. S.O. to 27.04.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 26.04.2023.

M.A.NO. 40/2021 IN O.A.ST.NO. 30/2021
(Ashok M. Prakashkar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Shri D.A. Mane, learned Advocate for the applicant and Shri S.P. Pandit, learned Advocate for the respondent Nos. 1,4, 5 & 6, are **absent**.

Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities, is present

2. In view of absence of learned Advocate for the applicant, S.O. to 20.06.2023 for hearing/dismissal.

MEMBER (A)

MEMBER (J)

M.A.NO. 86/2022 IN O.A.ST.NO. 1792/2021
(Sanjay P. Tarte Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri S.P. Sonawane, learned Advocate holding for Shri A.V. Thombre, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, S.O. to 20.06.2023 for hearing.

MEMBER (A)

MEMBER (J)

M.A.NO. 140/2022 IN O.A.ST.NO. 494/2022
(Vinod V. Bandale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri S.B. Jadhav, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, S.O. to 22.06.2023 for hearing.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 26.04.2023.

M.A.NO. 359/2022 IN O.A.NO. 729/2022
(Pavansing M. Chugda & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Shri Amol B. Chalak, learned Advocate for the applicants/intervenors in the present M.A. (**Absent**).

Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri V.B. Wagh, learned Advocate for the applicants in O.A.

2. Learned Advocate for the Original Applicants placed on record short affidavit along with the copy of common judgment and order dated 17.03.2023 passed by learned Full Bench in O.A.No. 144/2022 & Other O.As. and the copy of order of Hon'ble High Court dated 20.04.2023 passed in Writ Petition No. 5298/2023 challenging the Full Bench judgment & order and the Full Bench judgment is approved by passing order in paragraph Nos. 6 & 7 as follows:-

“6. In view of that we do not find any error on the part of the Tribunal. The contention of the learned Counsel for the Petitioners about the Petitioners in other Writ Petitions in

//2// M.A.359/2022 In
O.A. 729/2022

participating only in one selection process would be considered in the other Writ Petitions in case there is no misrepresentation.

7. *The Writ Petition stands disposed of. No costs.”*

The same are taken on record and placed after last exhibit of O.A. and accordingly pagination is done as page No. 150 onwards.

3. S.O. to 21.06.2023 for hearing. Interim relief granted earlier in O.A. to continue till then.

MEMBER (A)

MEMBER (J)

M.A.NO. 563/2022 IN O.A.NO. 730/2022
(Bhausahab R. Bhosale & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate for the applicants/intervenors in the present M.A., Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri V.G. Pingle, learned Advocate for the applicants in O.A.

2. Learned Advocate for the Original Applicants placed on record short affidavit along with the copy of common judgment and order dated 17.03.2023 passed by learned Full Bench in O.A.No. 144/2022 & Other O.As. and the copy of order of Hon'ble High Court dated 20.04.2023 passed in Writ Petition No. 5298/2023 challenging the Full Bench judgment & order and the Full Bench judgment is approved by passing order in paragraph Nos. 6 & 7 as follows:-

“6. In view of that we do not find any error on the part of the Tribunal. The contention of the learned Counsel for the Petitioners about the Petitioners in other Writ Petitions in

//2// M.A.563/2022 In
O.A. 730/2022

participating only in one selection process would be considered in the other Writ Petitions in case there is no misrepresentation.

7. *The Writ Petition stands disposed of. No costs.”*

The same are taken on record and placed after last exhibit of O.A. and accordingly pagination is done as page No. 244 onwards.

3. Learned Advocate for the applicants/interevenors in M.A.No. 563/2022 submitted that the Hon’ble High Court of judicature at Bombay as well as Bench at Aurangabad have passed order dated 24.04.2023 in W.P. challenging the Full Bench judgment and some interim relief is granted. He submits that he would file the copy of order passed in the said W.P.

4. S.O. to 21.06.2023 for hearing. Interim relief granted earlier in O.A. to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 661 OF 2017
(Shailendra S. Kapse Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri Ketan D. Pote, learned Advocate holding for Shri A.G. Ambetkar, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.

3. S.O. to 15.06.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 556 OF 2020
(Umakant L. Bedse Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri Ajay S. Deshpande, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.

3. S.O. to 02.05.2023. **High on board.**

MEMBER (A)

MEMBER (J)

M.A.NO. 185/2021 IN O.A.NO. 257/2021
(Nanasaheb L. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.
3. S.O. to 28.04.2023. **High on board.**
4. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

M.A.NO. 192/2021 IN O.A.NO. 258/2021
(Laxman N. Sormare Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Sanjivani K. Deeshmukh-Ghate, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.
3. S.O. to 28.04.2023. **High on board.**
4. Interim relief granted earlier to continue till then.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 804 OF 2017
(Prakash D. Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant has filed a **leave note**. Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 15.06.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 939 OF 2017
(Dattatraya S. Bargaje Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Shri S.D. Joshi, learned Advocate for the applicant has filed a **leave note**. Shri N.U. Yadav, learned Presenting Officer for the respondent authorities, is present.

2. S.O. to 15.06.2023. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 537 OF 2019
(Narendra R. Thakur Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Ms. Prashaoti Srivastava, learned Advocate holding for Shri S.B. Talekar, learned for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondent authorities.

2. S.O. to 09.06.2023. **High on board.**

MEMBER (A)

MEMBER (J)

M.A.NO. 13/2022 IN O.A.NO. 553/2019
(Markand N. Gangaram & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri Mujahed Hussain, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. S.O. to 15.06.2023 for further consideration.

High on board.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 26.04.2023.

ORIGINAL APPLICATION NO. 526 OF 2022
(Sachin D. Dahihande Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri A.S. Khedkar, learned Advocate holding for Shri G.A. Rathod, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. S.O. to 09.06.2023 for hearing. **High on board.**

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 598 OF 2021
(Bramhdev M. Latpate Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities.

2. Learned Advocate for the applicant submits that the applicant would like to file affidavit in rejoinder.

3. In view of the above, liberty is granted to the applicant to file affidavit in rejoinder.

4. S.O. to 23.06.2023 for hearing.

MEMBER (A)

MEMBER (J)

C.P.NO. 29/2022 IN O.A.NO. 283/2021
(Gautam A. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri H.S. Bali, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Affidavit in reply filed on behalf of the respondent No.1 is taken on record and copy thereof has been served on the other side.

3. S.O. to 08.06.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 444 OF 2022
(Bibhishan N. Hawale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri S.P. Sonawane, learned Advocate holding for Shri S.S. Thombre, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. S.O. to 20.06.2023 as a last chance for filing affidavit in reply on behalf of the respondent No.3, as well as, for filing rejoinder affidavit to the affidavit in reply filed on behalf of the respondent Nos. 1 & 2.

MEMBER (A)

MEMBER (J)

M.A.NO. 375/2022 IN O.A.ST.NO. 1210/2022
(Abhiman G. Saindane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri S.N. Suryawanshi, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities.

2. At the request of the learned Advocate for the applicant, time is granted as a last chance for filing affidavit in rejoinder in M.A.

3. S.O. to 04.07.2023.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 26.04.2023.

M.A.NO. 547/2022 IN O.A.ST.NO. 1755/2022
(Ashok V. Kulkarni & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Shri V.S. Kadam, learned Advocate for the applicants (**Absent**). Heard Shri M.P. Gude, learned Presenting Officer for the respondent authorities and Shri D.T. Devane, learned Advocate for the respondent Nos. 2 & 3.

2. Affidavit in reply filed on behalf of the respondent Nos. 2 & 3 in M.A. is taken on record and copy thereof has been served upon the learned P.O.

3. Learned Advocate for the respondent Nos. 2 & 3 undertook to supply the copy of affidavit in reply to learned Advocate for the applicants.

4. S.O. to 23.06.2023 for filing affidavit in rejoinder, if any in M.A.

MEMBER (A)

MEMBER (J)

O.A.NOS. 631, 677 AND 714 ALL OF 2019
(Dilip V. Kadam & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri S.P. Sonwane, learned Advocate holding for Shri Rahul D. Khadap, learned Advocate for the applicants in O.A.No. 631 & 714 both of 2019 and for Shri S.S. Thombre, learned Advocate for the applicant in O.A.No. 677/2019 and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities in all these O.A.

2. Affidavit in reply filed on behalf of the respondent Nos. 1 to 3 in O.A.No. 631/2019 is taken on record.

3. The applicant is at liberty to file affidavit in rejoinder, if any.

4. S.O. to 20.06.2023 for hearing.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 594 OF 2022
(Bharat C. Padvi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities.

2. Affidavit in rejoinder filed on behalf of the applicant is taken on record and copy thereof has been served on the other side.

3. S.O. to 26.06.2023 for admission.

MEMBER (A)

MEMBER (J)

ORIGINAL APPLICATION NO. 431 OF 2020
(Purushottam G. Khule Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri Ajay Deshpande, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities. Shri Suresh P. Salgar, learned Advocate for the respondent Nos. 3 to 5, **absent**. Shri S.D. Joshi, learned Advocate for the respondent No.6 has filed a **leave note**.

2. The present matter is reserved for orders.

MEMBER (A)

MEMBER (J)

T.A. 11/1999 (W.P. 3251/1993)
T.A. 19/1999 (W.P. 2311/1994)
T.A. 26/1999 (W.P. 2772/1993)
T.A. 47/1999 (W.P. 776/1993)
T.A. 07/1999 (W.P. 3765/1997)
T.A. 06/2006 (W.P. 4261/1995)
T.A. 36/2002 (W.P. 3007/1991)
M.A. 311/2008 in T.A. 42/1999 (W.P. 1274/1991)
T.A. 17/1999 (W.P. 2791/1994)
T.A. 35/1998 (W.P. 296/1998)
M.A. 309/2008 in T.A. 24/1999 (W.P. 3607/1993)
M.A. 306/2008 in T.A. 36/1999 (W.P. 652/1994)
T.A. 28/1999 (W.P. 1253/1991)
T.A. 30/1999 (W.P. 617/1994)
T.A. 33/1999 (W.P. 3796/1997)
T.A. 34/1999 (W.P. 3620/1997)
T.A. 37/1999 (W.P. 1382/1994)
T.A. 14/1999 (W.P. 3770/1997)
T.A. 16/1999 (W.P. 1226/1991)
T.A. 13/1999 (W.P. 777/1995)
T.A. 20/1999 (W.P. 882/1991)
T.A. 38/1999 (W.P. 329/1992)

(Marathwada Serva Shramik Sanghatana through its
Joint Secretary M.S. Sonwane & Ors. V/s. State of
Maharashtra & Ors.)

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and**

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Shri S.K. Shelke, Shri S.R. Barlinge, Shri
Subhash Mundhe, Shri B.B. Yenge, learned
Advocates for the applicants in respective matters,
Shri Goverdhan Ganoji, party in person in

//2/ T.A.11/1999 (W.P.3251/1993
& Ors.)

T.A.No.06/2006 and Shri Vivek Bhavthankar,
learned Advocate for the respondent Nos. 2 & 3 in
T.A.No.11/2019, are **absent**.

Shri M.S. Mahajan, learned Chief Presenting
Officer for the respondent authorities in all these
matters, is present.

2. S.O. to 07.06.2023 for final hearing
peremptorily.

MEMBER (A)

MEMBER (J)

SAS ORAL ORDERS 26.04.2023

DATE : 26.04.2023

ORIGINAL APPLICATION NO. 331 OF 2023

(Vasudeo H. Sonawane Vs. The State of Maha. & Ors.)

**Per :- Standing directions of Hon'ble
Chairperson, M.A.T., Mumbai-**

1. Shri C.V. Dharurkar, learned Advocate for the applicant and Shri N.U. Yadav, learned P.O. for the respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on **12.06.2023**. The case be listed for admission hearing on **12.06.2023**.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Kpb/ Registrar notice

DATE : 26.04.2023

ORIGINAL APPLICATION NO. 332 OF 2023

(Sanjay P. Jadhav Vs. The State of Maha. & Ors.)

**Per :- Standing directions of Hon'ble
Chairperson, M.A.T., Mumbai-**

1. Shri C.V. Dharurkar, learned Advocate for the applicant and Smt. S.K. Ghate-Deshmukh, learned P.O. for the respondents, are present.

2. Circulation is granted. Issue notices to the respondents, returnable on **12.06.2023**. The case be listed for admission hearing on **12.06.2023**.

3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on Respondent intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with Affidavit of compliance in the Registry as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Kpb/ Registrar notice

M.A. No. 301/2021 in O.A. St. No. 1279/2021
(Dr. Eknath Dhondiba Male Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023.

O R D E R

(Per : Hon'ble Shri Bijay Kumar, Member (A))

1. Heard Shri S.B. Patil, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. This Miscellaneous Application No. 301 of 2021 in Original Application (St.) No. 1279/2021 was filed on 14.09.2021 along with the said O.A. (St.) No. 1279/2021, for condonation of delay in filing the accompanying O.A.

3. **Facts of the matter** :- The applicant has contended that he was posted as Deputy Director, Health Services by downgrading the post by an order dated 30.08.2018. However, he was preoccupied in his new assignment and therefore, could not get time to seek redressal of his grievances in time. Thereafter, from March 2020 he was very busy in pandemic control work and therefore, could not seek legal advice.

//2//

M.A. 301/2021 in
O.A.St. 1279/2021

4. **Relief prayed for** :- The applicant has further claimed that delay in filing was not intentional or deliberate and has not gained any benefit by filing the O.A. late. The applicant has made prayer in this M.A. in terms of para 5 of the M.A., which is reproduced verbatim for ready reference:-

“THE APPLICANT, THEREFORE, PRAYS THAT

- (A) *This Misc. Application be allowed.*
- (B) *Delay of _____ days caused in filing the present Original Application may kindly be condoned.*
- (C) *Any other appropriate orders, in the interest of justice, may kindly be passed”*

5. **Chronological sequence of submission of affidavit in reply and final hearing:-** As the respondent Nos. 1 to 3 have not submitted affidavit in reply to the M.A. No. 301 of 2021 in O.A. (St.) No. 1279 of 2021, in spite of having been given full opportunity to do so, the matter was taken for final hearing on 10.04.2023 and then reserved for order.

6. **ANALYSIS OF FACTS** :-

- (a) From the facts stated in the present miscellaneous application, it is clear that the

//3//

M.A. 301/2021 in
O.A.St. 1279/2021

applicant has not been able to place any justifiable and convincing reasons for the delay in filing the present O.A. (St.) No. 1279/2021. Further, the applicant has not even mentioned period of delay for condonation.

(b) It is also noticed that the applicant represented to the respondent No. 1 vide his letter dated 17.06.2021 and 23.08.2021 for getting relief as prayed for in the present O.A. and hurriedly, filed this O.A.

(c) However, without going solely on technicality, it is pertinent to look into the grounds stated by the applicant in the present O.A. for being aggrieved by impugned order issued by the respondent No. 1 and to see whether the applicant is going to irreparable loss by not condoning the delay and whether the applicant has appropriate remedy available at proper stage in future. The analysis in this regard is as follows :-

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(i) The applicant enclosed his posting order as Deputy Director after down grading the said post which is dated 30.08.2018 and appended at page No. 20 of the paper-book and marked as Annexure A-1. Terms & Conditions of such posting as Deputy Director is mentioned at para 2 and 3 of the said order which reads as follows :-

“२. उपरोक्त अधिका-यांना सहसंचालक, उपसंचालक, आरोग्य सेवा या पदावर नियमित पदोन्नतीचा हक्कत सांगता येणार नाही अथवा सेवा ज्येष्ठतेचा दावा करता येणार नाही. तसेच सहसंचालक, उसंचालक, आरोग्य सेवा या पदांची वेतनश्रेणी मिळणार नाही.

३. उपरोक्त नमूद केलेली पदस्थापना ही नियमित पदोन्नती किंवा महाराष्ट्र लोकसेवा आयोगाकडून उमेदवार उपलब्ध होईपर्यंत, किंवा पुढील आदेश होईपर्यंत यापैकी जे अगोदर घडेल त्या कालावधीपर्यंत अंमलात राहिल.”

(ii) The applicant has not stated whether he had expressed his unwillingness to join on the downgraded post of Deputy Director under Terms & conditions stated in the impugned

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'posting on transfer' order, by making any written representation, if any.

(iii) The applicant has also not explained reasons for taking a time of about three years in making representations to the respondents on 14/17.06.2021 followed by another representation on 2308.2021.

(iv) It is also not explained as to why the applicant approached this Tribunal within three months after making the first representation to the respondents without waiting for the respondents to respond.

(v) If the above facts are seen in the light of subsequent developments that the respondents have neither submitted affidavit in reply nor the learned Presenting Officer made any oral submissions and it is, in our considered opinion, a matter in which there is much

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more than what meets our eyes and there is potential of misuse of the process of adjudication by this Tribunal which may lead to multiplicity of litigations culminating into chaotic state of establishment matters for medical doctors at the cost of public exchequer.

7. CONCLUSION :- In view of above analysis, the present Miscellaneous Application for condonation of delay in filing the present O.A. is, in our considered opinion, filed without convincing justification for delay, it has been filed without availing alternative remedy available to him and therefore, is misconceived and devoid of merit. Decision in this Misc. Application should not be construed as restricting respondents from deciding representations made by the applicant dated 14/17.06.2021 and 23.08.2021 as per rules. Accordingly, the respondents may decide the said representations of the applicant within reasonable time, taking into account Recruitment Rules, definition of fortuitous appointment, Maharashtra Civil Service (Regulation of Seniority) Rules, 1982

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and any other applicable rules and case laws. Hence,
the following order :-

ORDER

(A) Miscellaneous Application No. 301 of 2021 in Original Application (St.) No. 1279 of 2021 is dismissed for reason of being misconceived and devoid of merit.

(C) In view of order passed in the present M.A. 301/2021, the registration of O.A. stands rejected.

(D) No order as to costs.

MEMBER (A)

KPB ORAL ORDERS 26.04.2023

MEMBER (J)

ORIGINAL APPLICATION NO. 146 OF 2016
(Rakesh A. Thakre Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 26.04.2023

ORAL ORDER :

Heard Shri S.D. Kotkar, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities.

2. The present matter has already been treated as part heard.

3. S.O. to 07.06.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

**ORIGINAL APPLICATION NO. 556 OF 2014
(Sanjay R. Patange Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri V.D. Dongre, Member (J)
and
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 26.04.2023

ORAL ORDER :

Heard Shri S.G. Kulkarni, learned Advocate holding for Shri Ajay Deshpande, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondent authorities.

2. S.O. to 16.06.2023 for final hearing peremptorily.

MEMBER (A)

MEMBER (J)

**M.A.NO.139/2022 IN O.A.ST.NO.492/2022
(Vinod Bandale Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 26-04-2023

ORAL ORDER :

Heard Shri S.B.Jadhav, learned Counsel for the applicant, Shri B.S.Deokar, learned Presenting Officer for the respondent authorities and Shri Vishnu Kand, learned Counsel holding for Shri A.S.Reddy, learned Counsel for respondent no.3.

2. The applicant has filed O.A. challenging the recovery made by the respondents from the amount of his gratuity after his retirement. Since some delay has occasioned in filing the O.A., the applicant has filed the present M.A. Learned Counsel for the applicant today has tendered few documents in order to support his contentions raised in the M.A. Copies of these documents are provided to the learned P.O. Recovery is made on 27th April, 2015. It is thus evident that the O.A. has been filed after the period of about 7 years. Even if the period of one year if excluded delay remains to be of the period of about 6 years.

3. Learned Counsel for the applicant submitted that after his retirement, applicant himself was facing some ailments and his mother was also seriously ill, so also because of marriages of his two daughters; one, performed in the year 2016 and second, performed in the year 2021, he could not approach this Tribunal in time. Learned Counsel pointed out that the order of recovering the amount from gratuity was accepted by the applicant at the relevant time by lodging his protest and reserving his right to challenge the said order. Learned Counsel further submitted that correspondence was made by the applicant since the year 2015, however, at the time of drafting M.A. and O.A. since certain documents were not provided, reference of those documents is not there in the M.A. Learned Counsel submitted that the documents today placed on record by the applicant may be considered and if those documents are considered it would reveal that the applicant was not sleeping over his right but was agitating for his rights. Learned Counsel in the circumstances prayed for condoning the delay which has occasioned in filing the O.A.

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4. Learned P.O. has opposed the application stating that the delay is beyond the period of 5 years i.e. almost 6 years which has not been appropriately explained by the applicant. He further submitted that the reasons which are assigned are insufficient to condone the delay and in the circumstances has prayed for rejection of the M.A.

5. I have duly considered the submissions advanced on behalf of the applicant as well as the respondents. It is true that delay is of a longer period i.e. almost of the period about 6 years. However, today the documents which are placed on record by the applicant demonstrate that the applicant has immediately lodged his protest against the order of recovery from his gratuity amount and has also made a representation for providing him some particulars. It is true that there is no reference of all these facts in the M.A., however, documents which are produced today do not appear to be concocted or prepared later on. All these documents bear the seal of the office acknowledging correspondence made by the applicant. In so far as the order of recovery is concerned that can be

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M.A.NO.139/2022 IN O.A.ST.NO.492/2022

considered on merit. It is the contention of the applicant that he will demonstrate that the amount which is recovered is not liable to be recovered from the applicant.

6. In the circumstances, it appears to me that by taking some lenient view delay can be condoned so that the applicant can prosecute the O.A. on merit. Hence, the following order:

ORDER

[i] M.A. is allowed.

[ii] Delay caused in filing the O.A. is condoned subject to costs of Rs.1000/- to be deposited by the applicant with the Registry within 2 weeks from the date of this order.

[iii] On depositing the costs, O.A. be registered in accordance with law.

VICE CHAIRMAN

YUK ORAL ORDER 26.04.2023

**M.A.NO.251/2022 IN M.A.NO.18/2020 IN
O.A.NO.81/2018
(Sayyed Wali Abdul Khadar Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 26-04-2023

ORAL ORDER :

Shri D.A.Bide, learned Counsel for the applicant and Shri I.S.Thorat, learned Presenting Officer for the respondent authorities, are present.

2. At the request of learned Counsel for the applicant, S.O. to 18-07-2023.

VICE CHAIRMAN

YUK ORAL ORDER 26.04.2023

**M.A.NO.289/2022 IN O.A.ST.NO.1064/2022
(Vijay Palaskar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 26-04-2023

ORAL ORDER :

Shri P.V.Ambade, learned Counsel for the applicant is **absent**.

Shri S.K.Shirse, learned Presenting Officer for the respondent authorities is present.

2. In view of absence of learned Counsel for the applicant, S.O. to 18-07-2023.

VICE CHAIRMAN

YUK ORAL ORDER 26.04.2023

O.A.NOS. 375, 376, 377, 402, 403, 404 & 417 ALL OF 2021

(Ravindra R. Kulkarni & Ors. Vs. State of Maharashtra & Ors.)

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 26.4.2023

ORAL ORDER :

Shri Prashant Deshmukh, learned counsel for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities in all these cases, are present.

2. Learned counsel for the applicant has filed written notes of arguments and the same is taken on record.

3. In all these matters since the applicants have raised the challenge to condition incorporated in the Government Resolution the matters were lie before the Division Bench. The office is, therefore, directed to place these matters before the Division Bench by consulting the Division Bench.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 138 OF 2023
(Vikas Ramesh Kharat Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 26.4.2023

ORAL ORDER :

Shri O.D. Mane, learned counsel for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has sought leave to tender the affidavit in reply of respondent No. 3 on record. Learned counsel for the applicant has fairly consented for it. The same is, therefore, taken on record and copy thereof has been given to the learned counsel for the applicant.

3. S.O. to 2.5.2023 for hearing.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 624 OF 2022
(Dhananjay Trimbak Mahajan Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 26.4.2023

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 28.4.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDER 26.4.2023-HDD

**ORIGINAL APPLICATION NO. 625 OF 2022
(Anil Namdeo Lokhande Vs. State of Maharashtra &
Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 26.4.2023

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondent authorities, are present.

2. S.O. to 28.4.2023. Interim relief granted earlier to continue till then.

VICE CHAIRMAN

ORAL ORDER 26.4.2023-HDD

**ORIGINAL APPLICATION NO. 147 OF 2022
(Bhaskar S/o Devidas Nalte Vs. State of Maharashtra
& Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 26.4.2023

ORAL ORDER :

Shri J.B. Choudhary, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 2 & 3 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. S.O. to 28.6.2023.

VICE CHAIRMAN

ORAL ORDER 26.4.2023-HDD

**ORIGINAL APPLICATION NO. 1052 OF 2022
(Nuzhat Jaan d/o Jamal Khan Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 26.4.2023

ORAL ORDER :

Shri V.G. Pingle, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondent authorities, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondent Nos. 1 to 5 and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. S.O. to 20.6.2023.

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 31 OF 2023
(Dr. Vivek Baburao Khatgaonkar Vs. State of
Maharashtra & Ors.)**

**CORAM : Hon'ble Shri Justice P.R. Bora,
Vice Chairman**

DATE : 26.4.2023

ORAL ORDER :

Shri V.U. Pawar, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri P.B. Vikhe Patil, learned counsel for respondent No. 3, are present.

2. Learned Presenting Officer has tendered across the bar affidavit in reply on behalf of respondents and the same is taken on record and copy thereof has been served on the learned counsel for the applicant.

3. S.O. to 4.5.2023.

VICE CHAIRMAN